

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE USE OF THE DESIGN-BUILD PROJECT DELIVERY METHOD IN ACCORDANCE WITH ~~SB 785 CALIFORNIA PUBLIC CONTRACT CODE SECTION 20193~~ FOR THE CONSTRUCTION OF THE COGENERATION FACILITY PROJECT AT THE SAN JOSE-SANTA CLARA REGIONAL WASTEWATER FACILITY, WHICH IS ESTIMATED TO COST IN EXCESS OF \$~~1,000,000~~2,500,000

WHEREAS, ~~recently enacted SB 785 California Public Contract Code Section 20193~~ allows local ~~agencies~~entities that operate wastewater facilities, solid waste management facilities or water recycling facilities to utilize the design-build procurement method for construction projects that are in excess of \$~~1,000,000~~2,500,000, upon obtaining approval from the ~~Governor's Office of Planning and Research (OPR)~~ and the local ~~agency~~entitys governing body; and

WHEREAS, the City of San José (~~City~~) operates the San José-Santa Clara Regional Wastewater Facility (~~Wastewater Facility~~), which facility serves eight South Bay cities and four special districts and is jointly owned by the cities of San José and Santa Clara; and

WHEREAS, replacement of the existing, aging cogeneration equipment at the Wastewater Facility has been identified as a critical issue necessary to maintain onsite production of a reliable supply of power and heat and construction of a new cogeneration facility, the Cogeneration Facility Project (~~Project~~), is estimated to cost approximately \$80,000,000; and

WHEREAS, use of the design-build project delivery method is expected to result in time and cost savings for the Project, as well as improved Project coordination;~~and~~

~~**WHEREAS**, the City sought approval from OPR to proceed with the design-build construction of the Project on June 2, 2014, and OPR approved the City's application on June 12, 2014;~~

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Council hereby approves the use of the design-build project delivery method in accordance with ~~SB 785 California Public Contract Code Section 20193~~ for the construction of the Project.

ADOPTED this ____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

TONI J. TABER, CMC

City Clerk